

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RDW Capital, Inc.

Plaintiffs,

vs.

BE Industries, Inc.; BE North America, Corp.;
Bellelli Engineering, S.P.A.;
Bellelli USA, LLC; Antonio Monesi;
NAC Drive Systems, Inc.; Filippo Puglisi;
Swiss Heights Engineering, S.A.

Defendants.

NOTICE OF APPEAL

Case No.: 17-cv-7195 (JPO)

Notice is hereby given that Defendant Antonio Monesi hereby appeals to the United States Court of Appeals for the Second Circuit from the Opinion and Order entered on July 26, 2021, denying Antonio Monesi's Motion to Vacate Judgment Pursuant to Federal Rule of Civil Procedure 60(b)(4) and to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(4) and 12(B)(5) and Incorporated Memorandum of Law (the "July 26 Order"). This appeal is taken from each and every part of the July 26 Order.

Dated: New York, New York

August 25, 2021

Respectfully Submitted,

/s/ Daniel L. Rashbaum

Daniel L. Rashbaum

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2021, I caused the foregoing Notice of Appeal to be served via the Electronic Case Filing (ECF) system in the United States District Court for the Southern District of New York, on all parties registered for CM/ECF in the above-captioned action.

/s/ Daniel L. Rashbaum

Daniel L. Rashbaum

Dated: August 25, 2021